

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HYUK H. PARK

Plaintiff,

v.

WELLS FARGO BANK, et al.,

Defendants.

No. C 12-2065 PJH

ORDER

The above-entitled action was originally filed in the Superior Court of California, County of San Mateo, and was removed to this court on April 25, 2012, based on diversity jurisdiction.

On August 13, 2012, the court granted the motion of defendant Wells Fargo Bank N.A. a/k/a Wachovia Mortgage, a division of Wells Fargo Bank N.A., and f/k/a Wachovia Mortgage, FSB c/o NDeX West, LLC, f/k/a World Savings Bank, FSB ("Wells Fargo") for an order dismissing the complaint for failure to state a claim. The dismissal was with leave to amend, and the court granted plaintiff until September 17, 2012 to file the amended complaint. As of the date of this order, no amended complaint has been filed. Accordingly, the complaint is dismissed with prejudice.

To the extent that plaintiff intended to assert separate claims against NDeX West, LLC, those claims are dismissed based on the filing in state court of a Declaration of Non-Monetary Status pursuant to California Code of Civil Procedure § 2924I as to NDex West, LLC.

IT IS SO ORDERED.

Dated: September 25, 2012



PHYLLIS J. HAMILTON
United States District Judge